

Effective 5/13/2014

63J-1-505 Payment of fees prerequisite to service -- Exception.

- (1)
 - (a) State and county officers required by law to charge fees may not perform any official service unless the fees prescribed for that service are paid in advance.
 - (b) When the fee is paid, the officer shall perform the services required.
 - (c) An officer is liable upon the officer's official bond for every failure or refusal to perform an official duty when the fees are tendered.
- (2)
 - (a) Except as provided in Subsection (2)(b), no fees may be charged:
 - (i) to the officer's state, or any county or subdivision of the state;
 - (ii) to any public officer acting for the state, county, or subdivision;
 - (iii) in cases of habeas corpus;
 - (iv) in criminal causes before final judgment;
 - (v) for administering and certifying the oath of office;
 - (vi) for swearing pensioners and their witnesses; or
 - (vii) for filing and recording bonds of public officers.
 - (b) Fees may be charged for payment:
 - (i) of recording fees for assessment area recordings in compliance with Section 11-42-205;
 - (ii) of recording fees for judgments recorded in compliance with Sections 57-3-106 and 78A-7-105; and
 - (iii) to the state engineer under Section 73-2-14.

Amended by Chapter 189, 2014 General Session